

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CITY OF DETROIT, a Michigan
Municipal Corporation,

Plaintiff,

vs.

WELLS FARGO BANK, N.A.,

Defendant.

U.S.D.C. #

Judge

Mag. Judge

Lower Case No. 17-003841-CH

Hon. Susan L. Hubbard

Andrew J. Munro (P30304)
Motor City Law, PLLC
Attorneys for the Plaintiff
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(248) 901-4035
(248) 901-4040 (Fax)
mboettcher@plunkettconey.com

NOTICE OF FILING REMOVAL

NOTICE OF REMOVAL TO FEDERAL COURT

VERIFICATION

PROOF OF SERVICE

PLUNKETT COONEY

By: /s/ Matthew J. Boettcher

Matthew J. Boettcher (P40929)

Attorneys for Wells Fargo Bank

Plunkett Cooney

38505 Woodward Ave.

Suite 2000

Bloomfield Hills, MI 48304

(248) 901-4035

mboettcher@plunkettcooney.com

DATED: April 6, 2017

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

CITY OF DETROIT, a Michigan
Municipal Corporation,

Plaintiff,

Case No. 17-003841-CH
Hon. Susan L. Hubbard

vs.

WELLS FARGO BANK, N.A.,

Defendant.

Andrew J. Munro (P30304)
Motor City Law, PLLC
Attorneys for the Plaintiff
1001 Woodward Ave.
Suite 1100
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(248) 901-4035
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mboettcher@plunkettconey.com

NOTICE OF FILING REMOVAL

TO:

Andrew J. Munro, Esq.

Clerk of the Court
Wayne County Circuit Court

PLEASE TAKE NOTICE THAT Defendant, Wells Fargo Bank, N.A., has filed a Notice of Removal, a copy of which is attached hereto, in the offices of the Clerk of the United States District Court, Eastern District of Michigan, Southern Division.

PLUNKETT COONEY

By: /s/ Matthew J. Boettcher

Matthew J. Boettcher (P40929)
Attorneys for Wells Fargo Bank
Plunkett Cooney
38505 Woodward Ave.
Suite 2000
Bloomfield Hills, MI 48304
(248) 901-4035
mboettcher@plunkettcooney.com

DATED: April 6, 2017

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record via the Court's Electronic Filing System on April 6, 2017.

Signature: /s/ Mary Kisell

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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Plaintiff,

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U.S.D.C. #

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mboettcher@plunkettconey.com

NOTICE OF REMOVAL TO FEDERAL COURT

TO: Clerk of the Court
Wayne County Circuit Court

Andrew J. Munro, Esq.

Defendant, Wells Fargo Bank, N.A. ("Defendant"), by its attorneys, Plunkett Cooney, removes this action from the Wayne County Circuit Court to the United States District Court for the Eastern District of Michigan, Southern Division. In support of this Notice of Removal, Defendant states:

1. On March 3, 2017, this action was commenced against Defendant in the Wayne County Circuit Court.
2. A copy of the Summons and Complaint is attached as **Exhibit A**.
3. It appears that service was made on Defendant on or about March 31, 2017. **Exhibit B**. As such, this removal is, therefore, timely.
4. A copy of the state court docket reveals that the documents attached as Exhibit A are all process, pleadings and orders received by Defendant and/or otherwise of record. *See, Exhibit C*.
5. This action is removable because it involves a controversy that is wholly between citizens of different states under 28 U.S.C. 1332.
 - a. When this action was filed and removed, Plaintiff was a municipal corporation in the State of Michigan. *See, Complaint at ¶ 1*, included in the attached **Exhibit A**.
 - b. Wells Fargo Bank, N.A., is chartered and has its main offices in South Dakota. Thus, it is a citizen of South Dakota. *Wachovia Bank v. Schmidt*, 546 U.S. 303; 126 S.Ct. 941; 163 L.Ed.2d 797 (2006).

c. Under L.R. 81.1(a) and (b) and 28 U.S.C. 1332(a), the amount in controversy exceeds \$75,000, exclusive of interest, costs, and attorney fees because Plaintiff seeks money damages in the amount of \$816,549.84. *See,*

Exhibit A. The case is therefore removable under 28 U.S.C. 1441.

6. A Notice of Filing Notice of Removal and a copy of this Notice of Removal of Civil Action will be filed promptly with the Wayne County Circuit Court as required by 28 U.S.C. 1446(d), and copies of the same have been served upon Plaintiff as verified by the attached proof of service.

7. Based upon the foregoing, Defendant is entitled to remove this action to this Court under 28 U.S.C. 1441, *et seq.*

WHEREFORE, Defendant requests that this Court assume jurisdiction over this action and grant such other relief as the Court deems proper.

PLUNKETT COONEY

By: /s/ Matthew J. Boettcher

Matthew J. Boettcher (P40929)
Attorneys for Wells Fargo Bank
38505 Woodward Ave., Suite 2000
Bloomfield Hills, MI 48304
(248) 901-4035
mboettcher@plunkettcooney.com

DATED: April 6, 2017

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CITY OF DETROIT, a Michigan
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Plaintiff,

vs.

WELLS FARGO BANK, N.A.,

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U.S.D.C. #

Judge

Mag. Judge

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Hon. Susan L. Hubbard

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(248) 901-4035
(248) 901-4040 (Fax)
mboettcher@plunkettconey.com

VERIFICATION

MATTHEW J. BOETTCHER, first being duly sworn, states that he is the attorney for Defendant, Wells Fargo Bank, N.A., and that the foregoing Notice of Removal is true in substance and in fact to the best of his knowledge, information and belief.

PLUNKETT COONEY

By: /s/ Matthew J. Boettcher
Matthew J. Boettcher (P40929)
Attorneys for Wells Fargo Bank
Plunkett Cooney
38505 Woodward Ave.
Suite 2000
Bloomfield Hills, MI 48304
(248) 901-4035
mboettcher@plunkettcooney.com
P40929

DATED: April 6, 2017

Subscribed and sworn to before me
on April 6, 2017

/s/ MARY E. KISELL
Notary Public
Oakland County, Michigan
My Commission Expires: 09-05-2019

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CITY OF DETROIT, a Michigan
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vs.

WELLS FARGO BANK, N.A.,

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Judge

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Lower Case No. 17-003841-CH

Hon. Susan L. Hubbard

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mboettcher@plunkettconey.com

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2017, I electronically filed the foregoing Removal Package with the Clerk of the Court using the ECF system.

PLUNKETT COONEY

By: /s/ Matthew J. Boettcher

Plunkett Cooney
Attorneys for Wells Fargo Bank
38505 Woodward Ave., Ste. 2000
Bloomfield Hills, MI 48304
(248) 901-4035
mboettcher@plunkettcooney.com

DATED: April 6, 2017

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INDEX OF EXHIBITS

Exhibit A: Summons and Complaint

Exhibit B: Notice of Service of Process

Exhibit C: Register of Actions

Exhibit A

STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	SUMMONS AND COMPLAINT	CASE NO. 17-003841-CH Hon. Susan L. Hubbard
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2 Woodward Ave., Detroit MI 48226

Court Telephone No. 313-224-5183

Plaintiff City of Detroit	Defendant CSC-Lawyers Incorporating Service 601 Abbot Road Wells Fargo Bank, N.A. East Lansing, MI 48823
Plaintiff's Attorney Andrew J. Munro, P-30304 1480 Suffield Ave Birmingham, MI 48009-1042	Defendant's Attorney

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111[C])
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 3/ 3/2017	This summons expires 6/ 2/2017	Court clerk File & Serve Tyler
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

COMPLAINT *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.* This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.**Family Division Cases** There is no other pending or resolved action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties. An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

General Civil Cases There is no other pending or resolved civil action arise out of the same transaction or occurrence as alleged in the complaint. An civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

VENUE

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
---	---

Place where action arose or business conducted

Date _____

Signature of attorney/plaintiff _____

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.



STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	PROOF OF SERVICE	CASE NO. 17-003841-CH
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TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

OFFICER CERTIFICATE

OR

AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

I served personally a copy of the summons and complaint,

I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with _____

List all documents served with the Summons and Complaint

on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare that the statements above are true to the best of me information, knowledge and belief.

Service fee \$	Miles traveled \$	Mileage fee \$	Total fee \$	Signature
-------------------	----------------------	-------------------	-----------------	-----------

Name (type or print)

Title

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____

Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

on

Day, date, time

on behalf of _____

Signature

DB

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

CITY OF DETROIT, a Michigan
Municipal Corporation,

Case No.: 2017-

CH

Plaintiff,

v.

17-003841-CH

WELLS FARGO BANK, N.A.,

Defendant.

FILED IN MY OFFICE
WAYNE COUNTY CLERK
3/3/2017 12:10:47 PM
CATHY M. GARRETT

Andrew J. Munro (P30304)
Motor City Law, PLLC
Attorneys for the Plaintiff
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Suite 1100
Detroit, MI 48226
(248)563-6922
amunro@realtyervicescompany.com

PER WAYNE COUNTY CIRCUIT COURT LOCAL ADMINISTRATIVE ORDER
2016-7 section 1(e)(v), THIS CASE IS TO BE ASSIGNED TO THE CHIEF JUDGE.

There is no other pending or resolved
civil action arising out of the
transaction or occurrence alleged in
the complaint.

COMPLAINT and JURY DEMAND

NOW COMES the City of Detroit by and through its attorneys, Motor City Law, PLLC,
and for its Complaint state the following:

THE PARTIES

1. The Plaintiff, the City of Detroit ("City"), is a Michigan municipal corporation
located in the City of Detroit, County of Wayne, and State of Michigan.

2. The Defendant, Wells Fargo Bank, N.A. ("Bank"), is a National Association Bank, organized under the laws of Delaware. The Defendant Bank has approximately 18 brick and mortar bank branches in the State of Michigan and thus is physically present within the state. The Defendant Bank acquired World Savings Bank FSB, and in October 2008 acquired Wachovia Corp. and Wachovia Bank, N.A. in a \$15.1 Billion all-stock deal, and is the successor to both World Savings Bank FSB and Wachovia Corp.'s liabilities for unpaid property taxes.

JURISDICTION

3. The amount in controversy exceeds twenty-five thousand (\$25,000.00) dollars.
4. Michigan courts have jurisdiction over the Defendant Bank pursuant to MCL 600.701 because of the Bank's physical presence and its conducting business within the State of Michigan.
5. Venue in the Wayne County Circuit Court is proper pursuant to MCL 600.1621 as the Defendant Bank does business in the County of Wayne, to wit: lending money against real estate located within the City which real estate is liened by mortgages recorded in the Wayne County Register of Deeds.

INTRODUCTION

6. This Complaint seeks to collect the *in personam* debt the Defendant Bank for uncollected real property taxes on properties which the Defendant Bank was the assessed taxpayer. The Defendant Bank has refused to pay these taxes.

7. Each year the taxable status and value of all real property and the identifying of assessed taxpayer(s) is determined on Tax Day, December 31st. As set forth more fully below, Michigan's statutes and the City's Charter impose both a property lien and personal liability to insure collection of property taxes. In the City, property taxes become due each July 1st, and if unpaid become past due on September 1st ("Past Due Taxes"), and become delinquent on March

1 of the year following their original due date (“Delinquent Taxes”). Taxes that remain uncollected after the application of auction proceeds are uncollected property taxes (“Uncollected Taxes”). Under Michigan’s statutes, the City collects due, Past Due and Uncollected Taxes. Once taxes become Delinquent Taxes, the City is required to return these taxes to the Wayne County Treasurer (“WC Treasurer”) for collection. If a property’s Delinquent Taxes are not paid, the WC Treasurer forfeits, forecloses the tax lien, and then sells the property at annual auctions held each September and October. Delinquent Taxes are credited with the net auction proceeds. After crediting, if an amount remains unpaid, Uncollected Taxes, the City has the right to collect this amount from Assessed Taxpayers who, by Michigan statute and City Charter, are personally liable.

8. Under Michigan’s statutory process it takes over 3 years from the original due date of Unpaid Property Taxes for the WC Treasurer to complete the forfeiture, foreclosure and auction processes. Since 2003, the City has relied upon the statutorily mandated requirement that Delinquent Taxes to be returned to the WC Treasurer for collection.

9. In the years relevant to the allegations in this Complaint, the WC Treasurer has borrowed against the City’s annual return of Delinquent Taxes. The City’s receives payment equal to 100% of its returned Delinquent Taxes, but the advance is with recourse. If a property’s auction proceeds are insufficient to pay the Delinquent Taxes, fees, costs and interest, the collection deficiency is charged back to the City (“Charge Back”). The aggregate amount of the annual Charge Backs is netted against the following year’s advance against returned Delinquent Taxes. According to the City CAFRs the annual amount of returned Delinquent Taxes, Charge Backs, and net payments to the City were:

	2010	2011	2012
Amount of Returned Delinquent Taxes	\$132,000,000	\$152,000,000	\$167,000,000
Less: Charge Back Amount	-\$68,000,000	-\$101,000,000	-\$105,000,000
Net Paid to the City	\$64,000,000	\$51,000,000	\$62,000,000

According to the City's 2014 CAFR the Charge Back Amount for Uncollected Taxes after the 2013 auctions was \$106 million. The Charge Back includes the amount taxes the Defendant Bank refuses to pay.

10. The City assesses and collects property taxes for other taxing authorities. In 2012 the aggregate mileage rate was 84.5085 for all taxing authorities assessed and collected by the City. The mileage rates for the taxing authorities are broken down as follows:

- a. City of Detroit 33.4984, or 39.6391% of each tax dollar collected,
- b. Wayne County 7.9220, or 9.3742% of each tax dollar collected,
- c. Wayne County Community College 2.4769, or 2.9301% of each tax dollar collected,
- d. Huron Clinton Metropolitan Authority 0.2146, or 0.2539% of each tax dollar collected,
- e. Wayne County Intermediate School District 3.4643, or 4.0994% of each tax dollar collected,
- f. Detroit Board of Education 30.9323, or 36.6026% of each tax dollar collected, and
- g. State of Michigan 6.0000, or 7.1% of each tax dollar collected.

COUNT I

COLLECTION OF PROPERTY TAXES, FEES, COSTS and INTEREST

I. THE RESULTS OF THE WC TREASURER's 2013 PROPERTY AUCTION

11. The WC Treasurer conducted statutorily mandated auctions in September and October of 2013. The properties on which the Defendant Bank was the assessed taxpayer for unpaid Delinquent Taxes ("Defendant Bank's Properties") were offered for sale at one or both auctions. Some of the Defendant Bank's Properties were sold, paid for, and deeded by the WC Treasurer to successful bidders. Those that were offered but not sold were transferred for no compensation to the Detroit Land Bank Authority.

12. The list of the Defendant Bank's Properties offered at the 2013 auctions is attached as Exhibit B.

13. Exhibit B lists by Defendant Bank's Property the amount Uncollected Taxes due:

- a. Unpaid assessed taxes, fees, costs and interest through September 2013, \$644,647.25.
- b. Auction proceeds from the sale of Defendant Bank's Properties totaled \$30,700.00.
- c. Interest from September 1, 2013 through March 1, 2017, at the rate of 1½ % per month, not compounded, \$202,602.59
- d. Total amount due from Defendant Bank as of March 1, 2017 is \$816,549.84

14. In 2015, according to statistics published by the State of Michigan, the City of Detroit Board of Education annually annually spent \$12,931per pupil. Had the Defendant Bank paid what it owed, its distribution to the Detroit Public Schools, in excess of \$260,000, would have covered the annual cost to educate over 20 pupils.

II. THE ASSESSMENT OF DEFENDANT BANK, ITS PROPERTIES, and

COLLECTION OF DELINQUENT TAXES

A. The City

15. Michigan law expressly provides the City with the authority to sue, *in personam*, to collect the delinquent property taxes it assesses on behalf of itself and other taxing entities. Specifically, MCL 211.47 provides:

“If a person, firm, or corporation neglects or refuses to pay a tax on property assessed to that person, firm, or corporation ... the township or city treasurer, in the name of the township, village, or city, or the state treasurer in the name of the state may sue the person, firm, or corporation to whom the tax is assessed and garnishee any debtor or debtors of that person, firm, or corporation. The tax roll shall be *prima facie* evidence of the debt sought to be recovered.” Emphasis added.

16. Michigan law further provides that the City maintains its right to bring an *in personam* action to collect delinquent property taxes even after foreclosure proceedings have been completed. Specifically, MCL 211.89a(4) provides:

“A judgment entered under section 78k [judgment of foreclosure] that extinguishes any lien for unpaid taxes or special assessments ***does not extinguish the right of the city to bring an in personam action under this act or its charter to enforce personal liability for those unpaid taxes or special assessments...***”

17. The City of Detroit’s charter further provides for assessment of taxpayers, personal liability and liens upon assessed property. The relevant portions of the City’s Charter are:

- a. §8-403(2) City property taxes ***shall become a debt of the persons liable for them on the date provided by state law*** and shall become payable, and a lien upon the property, on the first (1st) day of the city’s fiscal year or such other date as may be provided by ordinance.” Emphasis added.
- b. §8-403(7) In addition to the other remedies specified in this section, at the time unpaid city property taxes become delinquent or at any later time permitted by law, ***the city may maintain a personal action against the debtor for collection of the unpaid property taxes and may use any means permitted by law for collection of the debt. The City of Detroit tax roll shall be prima facie evidence of the amount of the indebtedness to the City of Detroit.*** The preceding sections of 8-403 are not the exclusive remedies of the City of Detroit.” Emphasis added.
- c. §8-403(1) Except as otherwise provided by this Charter or ordinance, the rights, duties, powers, and immunities established by state law shall apply in the collection and enforcement of city property taxes.”

18. The City of Detroit’s statutory authority to bring an *in personam* suit for unpaid delinquent property taxes was expressly upheld by the Michigan Supreme Court in *City of Detroit v. Walker*, 445 Mich. 682 (1994).

19. The City properly assessed and noticed its assessments to the Defendant Bank for all the Bank’s Properties for each relevant year.

20. For each relevant year, and for each of the Defendant Bank’s Properties, the Defendant Bank was included on the City’s tax roles as the assessed taxpayer.

B. The WC Treasurer

21. The collection tools which the WC Treasurer, a foreclosing governmental unit has are limited to collection notices, setting up payment plans and auctioning forfeited and foreclosed properties. There is no provision in Michigan's statutes for a foreclosing governmental unit to sue an assessed taxpayer to collect delinquent taxes when the taxpayer has personal liability. In contradistinction, as discussed above, there are specific statutory provisions for Michigan's Treasurer, a township or city treasurer to sue taxpayers.

22. Consistent with the General Property Tax Act, MCL 211.1 et seq., the City returned the Defendant Bank's Delinquent Taxes to the WC Treasurer. The WC Treasurer forfeited and foreclosed the tax lien on Defendant Bank's Properties, and then offered each for sale at the 2013 auctions.

C. City's Board of Review, Michigan Tax Tribunal

23. The Defendant Bank did not appeal the amount of tax assessed against it, for any of the relevant tax years, with the City's Board of Review.

24. The Defendant Bank did not petition the Michigan Tax Tribunal to correct the amount of any of the taxes assessed against it during any of the relevant tax years.

25. The Defendant Bank did not appeal its status as the assessed taxpayer for any of the Defendant Bank's Properties with the City's Board of Review.

26. The Defendant Bank did not petition the Michigan Tax Tribunal to correct its status as assessed taxpayer for any of the Defendant Bank's Properties.

27. For all relevant tax years, The Defendant Bank is now past the time to appeal either the amount of tax assessed, or its status as assessed taxpayer with the City's Board of Review and the Michigan Tax Tribunal.

28. The Michigan Tax Tribunal has exclusive and original review of specific disputes, including the status of an assessed taxpayer, arising under the property tax laws of Michigan. MCL 205.22.

29. The amount of taxes assessed against Defendant Bank, or Defendant Bank's status as assessed taxpayer can only be challenged before the City's Board of Review and the Michigan Tax Tribunal. This was not done and cannot now be initiated. The amount of assessed taxes and the Defendant Bank's status as assessed taxpayer is irrebuttable and this Court has no jurisdiction to hear any challenge to those long-forfeited issues. .

30. Pursuant to MCL 211.47 (2) and City Charter §8-403(7), the City's tax roll is prima facia evidence which establishes the Defendant Bank as the assessed taxpayer for the Defendant's Properties. The Defendant Bank is barred from challenging this because only the City's Board of Review or the Michigan Tax Tribunal has jurisdiction to hear contrary evidence. Since Defendant Bank took no appeal the prima facie evidence cannot be rebutted and is therefore established.

D. Statutory Interest

31. Pursuant to Michigan's statutes, the City is entitled to interest at the rate of 1 ½ % per month, not compounded, on the amount of Uncollected Taxes. MCL 211.78g and MCL 211.78a(1)

WHEREFORE, the City asks this Honorable Court for a judgment against the Defendant Bank for the Uncollected Taxes, after crediting auction sale proceeds, in the amount of

\$816,549.84, which includes interest through March 1, 2017.

Respectfully submitted,
Motor City Law, PLLC

By: 

Andrew J. Munro (P30304)
One of Plaintiff's Attorneys
1001 Woodward Ave.
Suite 1100
Detroit, MI 48226
(248)563-6922
amunro@realtyervicescompany.com

JURY DEMAND

Plaintiff demands a jury trial on all issues so triable.

Respectfully submitted,
Motor City Law, PLLC

By: 

Andrew J. Munro (P30304)
One of Plaintiff's Attorneys
1001 Woodward Ave.
Suite 1100
Detroit, MI 48226
(248)563-6922
amunro@realtyervicescompany.com

EXHIBIT B

Property ID	Assessed Taxpayer	Unpaid Taxes, Fees, Costs & Interest through September 1, 2013		Auction Proceeds	Uncollected Taxes Post Auction	Interest (@ 1.5% per month, non compounded, 9/1/13 - 3/1/17)	Amount Due as of March 1, 2017
12002226.	Wells Fargo Bank, NA	\$ 7,668.36		\$ 500.00	\$ 7,166.36	\$ 2,364.90	\$ 9,531.26
18006280.	Wells Fargo Bank, NA	\$ 4,646.20			\$ 4,646.20	\$ 1,533.25	\$ 6,179.45
13017460-1	Wells Fargo Bank, NA	\$ 7,262.05		\$ 2,500.00	\$ 4,762.95	\$ 1,571.77	\$ 6,334.72
16023285.	Wells Fargo Bank, NA	\$ 8,864.63			\$ 8,864.63	\$ 2,925.33	\$ 11,789.96
22025679.	Wells Fargo Bank, NA	\$ 7,801.63		\$ 500.00	\$ 7,301.63	\$ 2,409.54	\$ 9,711.17
16003231.	Wells Fargo Bank, NA	\$ 4,345.61			\$ 4,345.61	\$ 1,434.05	\$ 17,603.841-CH
17006534.	Wells Fargo Bank, NA	\$ 5,523.63		\$ 500.00	\$ 5,023.63	\$ 1,657.85	\$ 6,671.33
12005190.	Wells Fargo Bank, NA	\$ 2,975.00			\$ 2,975.00		WAYNE COUNTY CLERK
16002722.	Wells Fargo Bank, NA	\$ 8,972.56			\$ 8,972.56	\$ 2,960.95	3/3/2017 12:10:47 PM
21010215.	Wells Fargo Bank, NA	\$ 5,045.39			\$ 5,045.39	\$ 1,664.00	CATHY M GARRETT
15011350.	Wells Fargo Bank, NA	\$ 8,661.54			\$ 8,661.54	\$ 2,858.31	\$ 11,519.85
22035523.	Wells Fargo Bank, NA	\$ 3,874.94			\$ 3,874.94	\$ 1,278.73	\$ 5,153.67
21011635.	Wells Fargo Bank, NA	\$ 4,359.39			\$ 4,359.39	\$ 1,438.60	\$ 5,797.99
22057453.	Wells Fargo Bank, NA	\$ 10,776.51			\$ 10,776.51	\$ 3,556.25	\$ 14,332.76
22098270.	Wells Fargo Bank, NA	\$ 21,667.29		\$ 5,500.00	\$ 16,167.29	\$ 5,335.21	\$ 21,502.50
16032873.	Wells Fargo Bank, NA	\$ 10,213.50			\$ 10,213.50	\$ 3,370.46	\$ 13,583.96
22014286.	Wells Fargo Bank, NA	\$ 7,827.09			\$ 7,827.09	\$ 2,582.94	\$ 10,410.03
19009365.	Wells Fargo Bank, NA	\$ 4,432.84			\$ 4,432.84	\$ 1,462.84	\$ 5,895.68
22036201.	Wells Fargo Bank, NA	\$ 12,706.31			\$ 12,706.31	\$ 4,193.08	\$ 16,899.39
22054885.	Wells Fargo Bank, NA	\$ 11,519.75			\$ 11,519.75	\$ 3,801.52	\$ 15,321.27
21006552.	Wells Fargo Bank, NA	\$ 6,442.33			\$ 6,442.33	\$ 2,125.97	\$ 8,566.30
22071491.	Wells Fargo Bank, NA	\$ 6,491.95			\$ 6,491.95	\$ 2,142.34	\$ 8,634.29
09015124.	Wells Fargo Bank, NA	\$ 6,671.91			\$ 6,671.91	\$ 2,201.73	\$ 8,873.64
21018219.	Wells Fargo Bank, NA	\$ 6,500.58			\$ 6,500.58	\$ 2,145.19	\$ 8,645.77
14007538.	Wells Fargo Bank, NA	\$ 5,329.87			\$ 5,329.87	\$ 1,758.88	\$ 7,088.73
13018281.	Wells Fargo Bank, NA	\$ 5,979.46			\$ 5,979.46	\$ 1,973.22	\$ 7,952.68
22060814-5	Wells Fargo Bank, NA	\$ 5,425.19			\$ 5,425.19	\$ 1,790.31	\$ 7,215.50
01009550.	Wells Fargo Bank, NA	\$ 6,560.49			\$ 6,560.49	\$ 2,164.96	\$ 8,725.45
13017554.	Wells Fargo Bank, NA	\$ 7,630.30		\$ 800.00	\$ 6,830.30	\$ 2,254.00	\$ 9,084.30
22028552.	Wells Fargo Bank, NA	\$ 6,076.91			\$ 6,076.91	\$ 2,005.58	\$ 8,082.29
13006799.	Wells Fargo Bank, NA	\$ 4,419.61			\$ 4,419.61	\$ 1,458.54	\$ 5,878.35
21013303.	Wells Fargo Bank, NA	\$ 6,507.36			\$ 6,507.36	\$ 2,147.43	\$ 8,654.79
08004627.	Wells Fargo Bank, NA	\$ 5,587.51			\$ 5,587.51	\$ 1,843.88	\$ 7,431.39
14007681.	Wells Fargo Bank, NA	\$ 4,347.21			\$ 4,347.21	\$ 1,434.58	\$ 5,781.79
18036083.	Wells Fargo Bank, NA	\$ 8,273.15			\$ 8,273.15	\$ 2,730.14	\$ 11,003.29
14007575.	Wells Fargo Bank, NA	\$ 3,982.05			\$ 3,982.05	\$ 1,314.08	\$ 5,298.13
16013945.	Wells Fargo Bank, NA	\$ 4,042.90			\$ 4,042.90	\$ 1,334.16	\$ 5,377.08
22008629-31	Wells Fargo Bank, NA	\$ 5,515.20			\$ 5,515.20	\$ 1,820.02	\$ 7,335.22
21062578.	Wells Fargo Bank, NA	\$ 6,495.10		\$ 2,100.00	\$ 4,395.10	\$ 1,450.38	\$ 5,845.48
17011522.	Wells Fargo Bank, NA	\$ 4,991.93			\$ 4,991.93	\$ 1,647.34	\$ 6,639.27

41	21007838.	Wells Fargo Bank, NA	\$ 6,881.52		\$ 6,881.52		\$ 2,270.90	\$ 9,152.42
42	16024732.	Wells Fargo Bank, NA	\$ 3,130.64		\$ 3,130.64		\$ 1,033.11	\$ 4,163.75
43	17007225.	Wells Fargo Bank, NA	\$ 4,673.74		\$ 4,673.74		\$ 1,542.33	\$ 6,216.07
44	09015571.	Wells Fargo Bank, NA	\$ 4,299.60		\$ 4,299.60		\$ 1,418.67	\$ 5,718.47
45	22006391.	Wells Fargo Bank, NA	\$ 5,755.75		\$ 5,755.75		\$ 1,899.40	\$ 7,655.15
46	21007597.	Wells Fargo Bank, NA	\$ 5,519.61		\$ 5,519.61		\$ 1,821.47	\$ 7,341.08
47	19004922.	Wells Fargo Bank, NA	\$ 2,190.46		\$ 2,190.46		\$ 722.85	\$ 2,913.31
48	22057835.	Wells Fargo Bank, NA	\$ 15,479.00		\$ 15,479.00		\$ 5,108.07	\$ 20,587.07
49	21022288.	Wells Fargo Bank, NA	\$ 8,830.06		\$ 8,830.06		\$ 2,913.92	\$ 11,743.98
50	09021748.	Wells Fargo Bank, NA	\$ 9,177.67		\$ 9,177.67		\$ 3,028.63	\$ 12,206.30
51	21008188.	Wells Fargo Bank, NA	\$ 10,004.76		\$ 10,004.76		\$ 3,301.57	\$ 13,306.33
52	22093716.	Wells Fargo Bank, NA	\$ 11,637.11		\$ 11,637.11		\$ 3,840.25	\$ 15,477.36
53	22037009.	Wells Fargo Bank, NA	\$ 18,728.22	\$ 8,300.00	\$ 10,428.22		\$ 3,441.31	\$ 13,869.53
54	12001285-6	Wells Fargo Bank, NA	\$ 5,601.77		\$ 5,601.77		\$ 1,848.58	\$ 7,450.35
55	10003238.	Wells Fargo Bank, NA	\$ 10,245.58		\$ 10,245.58		\$ 3,381.04	\$ 13,626.62
56	22053808.	Wells Fargo Bank, NA	\$ 7,426.64	\$ 500.00	\$ 6,926.64		\$ 2,285.79	\$ 9,212.43
57	22014393.	Wells Fargo Bank, NA	\$ 7,978.23		\$ 7,978.23		\$ 2,632.82	\$ 10,611.05
58	13005233.	Wells Fargo Bank, NA	\$ 4,929.93		\$ 4,929.93		\$ 1,626.88	\$ 6,556.81
59	21007604.	Wells Fargo Bank, NA	\$ 7,309.25		\$ 7,309.25		\$ 2,412.05	\$ 9,721.30
60	22036268.	Wells Fargo Bank, NA	\$ 4,631.07		\$ 4,831.07		\$ 1,528.25	\$ 6,159.32
61	16003897.	Wells Fargo Bank, NA	\$ 5,151.31		\$ 5,151.31		\$ 1,699.93	\$ 6,851.24
62	20002224.002L	Wells Fargo Bank, NA	\$ 3,490.05		\$ 3,490.05		\$ 1,151.72	\$ 4,641.77
63	22077969.	Wells Fargo Bank, NA	\$ 5,860.65		\$ 5,860.65		\$ 1,934.01	\$ 7,794.66
64	21046703.	Wells Fargo Bank, NA	\$ 4,336.21	\$ 500.00	\$ 3,836.21		\$ 1,265.95	\$ 5,102.16
65	13013484.	Wells Fargo Bank, NA	\$ 7,750.57		\$ 7,750.57		\$ 2,557.69	\$ 10,308.26
66	22108529.	Wells Fargo Bank, NA	\$ 3,156.16		\$ 3,156.16		\$ 1,041.53	\$ 4,197.69
67	16003719.	Wells Fargo Bank, NA	\$ 9,807.49		\$ 9,807.49		\$ 3,236.47	\$ 13,043.96
68	13017004.	Wells Fargo Bank, NA	\$ 8,599.86		\$ 8,599.86		\$ 2,837.95	\$ 11,437.81
69	16008331.	Wells Fargo Bank, NA	\$ 9,466.83		\$ 9,466.83		\$ 3,124.05	\$ 12,590.88
70	17004423.	Wells Fargo Bank, NA	\$ 6,764.17		\$ 6,764.17		\$ 2,232.18	\$ 8,996.35
71	22068593.	Wells Fargo Bank, NA	\$ 6,619.60		\$ 6,619.60		\$ 2,844.47	\$ 11,464.07
72	22088131.	Wells Fargo Bank, NA	\$ 9,390.57		\$ 9,390.57		\$ 3,098.89	\$ 12,489.46
73	20005353.	Wells Fargo Bank, NA	\$ 6,328.11		\$ 6,328.11		\$ 2,088.28	\$ 8,416.39
74	20006347.	Wells Fargo Bank, NA	\$ 7,630.53		\$ 7,630.53		\$ 2,584.07	\$ 10,414.60
75	17006372.	Wells Fargo Bank, NA	\$ 3,357.55		\$ 3,357.55		\$ 1,107.99	\$ 4,465.54
76	16032594.	Wells Fargo Bank, NA	\$ 5,332.63		\$ 5,332.63		\$ 1,759.77	\$ 7,092.40
77	16034365-6	Wells Fargo Bank, NA	\$ 6,863.32		\$ 6,863.32		\$ 2,264.90	\$ 9,128.22
78	20009979.	Wells Fargo Bank, NA	\$ 6,432.90		\$ 6,432.90		\$ 2,122.86	\$ 8,555.76
79	09011376.	Wells Fargo Bank, NA	\$ 4,863.73		\$ 4,863.73		\$ 1,605.03	\$ 6,468.76
80	16018520.	Wells Fargo Bank, NA	\$ 4,063.21		\$ 4,063.21		\$ 1,347.46	\$ 5,430.67
81	16002722.	Wells Fargo Bank, NA	\$ 8,972.56		\$ 8,972.56		\$ 2,960.94	\$ 11,933.50
82	22006371.	Wells Fargo Bank, NA	\$ 10,104.47	\$ 700.00	\$ 9,404.47		\$ 3,103.48	\$ 12,507.95
83	22006391.	Wells Fargo Bank, NA	\$ 6,455.75	\$ 700.00	\$ 5,755.75		\$ 1,899.40	\$ 7,655.15
84	22008629-31	Wells Fargo Bank, NA	\$ 5,515.20	\$ 500.00	\$ 5,015.20		\$ 1,655.02	\$ 6,670.22
85	16003897.	Wells Fargo Bank, NA	\$ 5,151.31	\$ 500.00	\$ 4,651.31		\$ 1,534.93	\$ 6,186.24

86	21046703.	Wells Fargo Bank, NA	\$ 3,836.21	\$ 500.00	\$ 3,336.21	\$ 1,100.95	\$ 4,437.16
87	22036288.	Wells Fargo Bank, NA	\$ 4,631.07	\$ 500.00	\$ 4,131.07	\$ 1,383.25	\$ 5,494.32
88	22053808.	Wells Fargo Bank, NA	\$ 6,926.64	\$ 500.00	\$ 6,426.64	\$ 2,120.79	\$ 8,547.43
89	22077969.	Wells Fargo Bank, NA	\$ 8,386.65	\$ 3,100.00	\$ 5,286.65	\$ 1,744.59	\$ 7,031.24
90	13013484.	Wells Fargo Bank, NA	\$ 6,250.57	\$ 500.00	\$ 7,750.57	\$ 2,557.69	\$ 10,308.26
91	16006331.	Wells Fargo Bank, NA	\$ 9,466.83	\$ 800.00	\$ 6,666.83	\$ 2,660.05	\$ 11,526.68
92	22068593.	Wells Fargo Bank, NA	\$ 8,819.60	\$ 700.00	\$ 7,919.60	\$ 2,613.47	\$ 10,533.07
			\$ 644,647.25	\$ 30,700.00	\$ 813,947.25	\$ 202,602.59	\$ 818,549.84

Exhibit B



CORPORATION SERVICE COMPANY™

CQW / ALL

Transmittal Number: 16445393

Date Processed: 03/31/2017

Notice of Service of Process

Primary Contact: WF West - WF Bank
 Corporation Service Company- Wilmington, DELAWARE
 2711 Centerville Road
 Wilmington, DE 19808

Entity: Wells Fargo Bank, National Association
 Entity ID Number 2013649

Entity Served: Wells Fargo Bank, N.A.

Title of Action: City of Detroit vs. Wells Fargo Bank, N.A.

Document(s) Type: Summons/Complaint

Nature of Action: Foreclosure

Court/Agency: Wayne County Circuit Court, Michigan

Case/Reference No: 17-003841-CH

Jurisdiction Served: Michigan

Date Served on CSC: 03/31/2017

Answer or Appearance Due: 21 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Andrew J. Munro
 248-563-6922

Client Requested Information: Matter Management User Groups: [Tax – WFHM & WFB Consumer]

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | sop@cscglobal.com

Exhibit C

REGISTER OF ACTIONS

CASE NO. 17-003841-CH

PARTY INFORMATION

Defendant **Wells Fargo Bank, N.A.**

Lead Attorneys

Plaintiff **City of Detroit**

Andrew J. Munro
Retained
(248) 563-6922(W)

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS

03/03/2017	Complaint, Filed
03/03/2017	Service Review Scheduled
03/03/2017	Status Conference Scheduled
03/03/2017	Case Filing and Jury Trial Fee - Paid
05/31/2017	Status Conference (8:00 AM) (Judicial Officer Hubbard, Susan L.)
	06/02/2017 Reset by Court to 05/31/2017

FINANCIAL INFORMATION

Plaintiff	City of Detroit	
	Total Financial Assessment	260.00
	Total Payments and Credits	260.00
	Balance Due as of 04/05/2017	0.00
03/03/2017	Transaction Assessment	260.00
03/03/2017	Civil File & Serve Payment Receipt # 2017-20488	(260.00)
	City of Detroit	